

July 6, 2005

**FOR MORE INFORMATION, CONTACT:**

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DEQ Environmental Management Bureau  
(406) 444-4960  
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To: Livingston Enterprise  
401 S. Main St.  
Livingston, MT

**RE: Legal Notice on Reclamation Bond Increase for Black Diamond Quarry**

Dear Editor:

Please publish the following legal notice in the next issue of your newspaper:

**LEGAL NOTICE**

The Montana Department of Environmental Quality (DEQ) is conducting a five-year comprehensive bond review for Black Diamond Aggregates, Inc.'s (Black Diamond) Black Diamond Quarry. The review will update bonding requirements pursuant to Section 82-4-338(3), MCA, of the Montana Metal Mine Reclamation Act (MMRA). DEQ does not believe that the current bonding level represents the costs of implementing the currently approved reclamation plan per the MMRA and the rules adopted under the MMRA. Black Diamond is currently permitted under Operating Permit 00089 from DEQ, which was issued in 1977.

The quarry is on private land in Sections 5 and 8 in Township 6 South, Range 8 East in Park County. The quarry is located a mile southwest of Emigrant, MT. Various operators have operated the quarry since the 1920's to produce rip rap and ballast for the railroad. Currently, the quarry is being used to produce rip rap as well as other construction aggregate products. Black Diamond has a 119.2-acre permit area of which 87.6 acres are permitted for disturbance. Current disturbance at the quarry is 55.23 acres. DEQ currently holds a reclamation bond of \$43,000. DEQ has determined as part of the bond review process that an increase in the bond is required to guarantee reclamation of the current

disturbance at the site. DEQ has calculated a final bond determination of \$99,078 to cover reclamation costs.

A copy of the bond calculations that form the basis for the preliminary bond determination can be obtained by contacting the Montana Department of Environmental Quality, Environmental Management Bureau, P. O. Box 200901, 1520 E. Sixth Ave., Helena, MT 59620-0901, or by calling Patrick Plantenberg at (406) 444-4960 or e-mail at [pplantenberg@mt.gov](mailto:pplantenberg@mt.gov).

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Please attach an affidavit of publication, with an original tear sheet for the run date, to your invoice and send them to:

Department of Environmental Quality  
Environmental Management Bureau  
1520 East 6<sup>th</sup> Avenue  
PO Box 200901  
Helena MT 59620-0901

Please charge to DEQ # 535315, and **reference EMB- 5036003**

Sincerely,

Patrick Plantenberg  
Operating Permit Section Supervisor  
Environmental Management Bureau

cc: Jackie Windon, DEQ  
Charles Freshman, DEQ

file: 00152.37 and .10

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